

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

MORRIS RAMSEY

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3: 05CV 426-T

CR. NO. 3:94cr25

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ORDER

Defendant Morris Ramsey has filed a pleading styled as a "*Motion for Voiding Drug Weight Enhancement for Lack of Jurisdiction and Re-sentence Within Defined Range Authorized by Jury Verdict*" (Doc. 1002), wherein he challenges the sentence imposed upon him by this court for conspiracy to possess with intent to distribute cocaine base and possession with intent to distribute cocaine base. A review of the claims presented by Ramsey in his motion indicates that he seeks relief from this court that is appropriate only under the remedy provided by 28 U.S.C. § 2255. Accordingly, the Clerk of this court is hereby DIRECTED to:

1. Open a civil action under 28 U.S.C. § 2255.
2. Docket Ramsey's "*Motion for Voiding Drug Weight Enhancement for Lack of Jurisdiction...*" (currently docketed as Doc. 1002 under 3:94cr25) in the newly opened civil action.
3. Assign the newly opened case to the Magistrate Judge and District Judge to whom the instant case is assigned; and
4. Refer the case file to the appropriate Magistrate Judge for further proceedings upon completion of the foregoing directives.

Done this 6th day of May, 2005.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE